

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JAMES LYNN GARRETT and)	
SHANNON MARIE GARRETT)	
)	Judge Guzman
Plaintiffs,)	
)	Magistrate Judge Cox
v.)	
)	Case No.: 07 C 6882
ILLINOIS STATE TOLL HIGHWAY)	
AUTHORITY, JIMMI MARSHALL,)	
FREDDY DICKERSON, MARIO))	
CALABRESE, PAUL EDWARD)	
GONZALEZ, JOHN BENDA,)	
DONALD J. McLENNAN, STEVEN T.))	
MUSSER, and MICHAEL ZADEL)	
)	
Defendants.))	

**RESPONSE OF THE PLAINTIFFS
TO THE DEFENDANTS' MOTION TO RECONSIDER**

Now come the plaintiffs, JAMES LYNN GARRETT and SHANNON MARIE GARRETT, by their attorney, JOHN M. DUGAN, and as their response to the motion of the defendants seeking the Court reconsideration of its order of May 7, 2008, state as follows:

1. There is no stated basis for the defendants' motion for reconsideration.
2. The plaintiffs' brief in response to the original motion to dismiss remains applicable. The pleadings presented by the defendants support the position taken by the plaintiffs.
3. The state actions are not parallel with this action and there is no

exceptional circumstance that would justify the court to abstain from its jurisdiction, or wait for the resolution of the state court cases.

WHEREFORE, the plaintiffs, JAMES LYNN GARRETT and SHANNON MARIE GARRETT pray for an order denying the defendants' motion.

Respectfully submitted,

S/John M. Dugan

JOHN M. DUGAN

Attorney for Plaintiff

Dated: May 21, 2008

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